

**Order Dismissing Chapter 13 Case Prior to Confirmation**  
**L.B.F. 1017-3.1**

[Caption as in Official Form 416B]

**ORDER DISMISSING CHAPTER 13 CASE**  
**PRIOR TO CONFIRMATION OF PLAN**

THIS MATTER comes before the court on the \_\_\_\_\_ (name of pleading) \_\_\_\_\_, filed  
by \_\_\_\_\_ (name of movant) \_\_\_\_\_. Notice has been given to the debtor and debtor's counsel and the  
chapter 13 trustee as applicable. No timely objection has been filed. The court

**FINDS** that:

1. Cause exists for dismissal of this case pursuant to 11 U.S.C. § 1307.
2. No plan has been confirmed.
3. No request for delayed revestment of property of the estate has been made.

**IT IS THEREFORE ORDERED** that:

1. **THIS CASE IS DISMISSED.** The Clerk of the court must serve this order on all creditors and parties in interest within fourteen days (14) of the date of the order.
2. In accordance with 11 U.S.C. §§ 349(b)(1) and (2), any transfer avoided under 11 U.S.C. §§ 522, 544, 545, 547, 548, 549 or 724(a), or preserved under 11 U.S.C. §§ 510(c)(2), 522(i)(2) or 551, is reinstated; any lien voided under 11 U.S.C. § 506(d) is reinstated; and any order, judgment or transfer ordered under 11 U.S.C. §§ 522(i)(1), 542, 550 or 553 is vacated.
3. All property of the estate, except payments made by the debtor to the trustee, will revert in the debtor as of the date of this order pursuant to 11 U.S.C. § 349.
4. Payments made by the debtor will be retained by the trustee pending payment of claims allowed under 11 U.S.C. § 503(b) pursuant to 11 U.S.C. § 1326(a)(2).
  - a. Any request for allowance of an 11 U.S.C. § 503(b) claim must conform with 11 U.S.C. § 503 and FED. R. BANKR. P. Rules 9013, 9014 and 2002, and be filed 28 days of the date of this order.
  - b. Within 30 days after determination of the last request, if any, for allowance of 11 U.S.C. § 503(b) claims, the trustee must pay all fees imposed by statute and all allowed 11 U.S.C. § 503(b) claims from the debtor's payments and return any surplus to the debtor.

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
United States Bankruptcy Judge